

City of Cincinnati



Interdepartment
Correspondence Sheet

Date: July 10, 2007

To: Board Members, Citizen Complaint Authority

From: Kenneth E. Glenn, Director, CCA

Subject: CCA Investigative Summaries, Board Meeting / July 9, 2007

#1

Complaint #	07068
Complainant(s)	Christopher Hill
Involved Officer(s)	Adrian Mitchell – Unlawful Search Adrian Mitchell & Anthony Murphy – Collateral Issue – Improper Procedure
CCA Investigator	Diedre K. Larkins
Director Recommendation	<i>Adrian Mitchell – Unlawful Search: NOT SUSTAINED Adrian Mitchell & Anthony Murphy – Collateral Issue – Improper Procedure: SUSTAINED</i>
Board Recommendation	Agree, 6-0
City Manager Finding	Agree

Narrative

Christopher L. Hill filed a complaint with the Citizen Complaint Authority on March 9, 2007. Mr. Hill stated Officer Adrian Mitchell, Badge # P499, of District Four, stopped him and proceeded to unlawfully search his person. The officer further ordered Mr. Hill to stay out of Avondale or else he would be cited every time he sees him. This incident occurred on March 7th, 5:00 p.m., near the intersection of Burnet and Rockdale Avenues.

Findings

Unlawful Search- Officer Adrian Mitchell

There are insufficient facts to decide whether the alleged misconduct occurred, therefore, the allegation of unlawful search against Officer Adrian Mitchell is **NOT SUSTAINED**.

Collateral Issue- Improper Procedure- Officers Adrian Mitchell and Anthony Murphy

There is sufficient evidence to determine that the incident occurred and the actions of the officer were improper, therefore, the collateral issue of improper procedure (failure to complete contact card) against Officers Adrian Mitchell and Anthony Murphy is **SUSTAINED**. ■

Complaint #	07097
Complainant(s)	Rebecca Zang
Involved Officer(s)	Mark Williams and Robert Kidd: Excessive Force Dave Cortlett: Discourtesy
CCA Investigator	Reuben Dunbar
Director Recommendation	<i>Mark Williams and Robert Kidd – Excessive Force:</i> NOT SUSTAINED <i>Dave Corlett – Discourtesy:</i> SUSTAINED
Board Recommendation	Agree, 6-0
City Manager Finding	Agree

Narrative

Ms. Rebecca Zang filed a citizen complaint with the Cincinnati Police Department on April 4, 2007, from an incident that occurred on March 15, 2007, at 10:00 am at U.S. Bank Arena. The complaint was referred to CCA on April 6, 2007.

Rebecca Zang and several of her friends were at a Justin Timberlake concert at U.S. Bank Arena. Ms. Zang's friend was accused of throwing a beer bottle at a group of women whom sat behind them. Sergeant Dave Corlett used profanity and ordered Ms. Zang and her friends to leave. Officer Kidd then pushed them through the exit doors.

Findings

Excessive Force – Officers Mark Williams and Robert Kidd

There are insufficient facts to decide whether the alleged misconduct occurred, therefore, the allegation of Excessive Force against Officers Mark Williams and Robert Kidd is **NOT SUSTAINED**.

Discourtesy – Sergeant Dave Corlett

The allegation is supported by sufficient evidence to determine that the incident occurred and actions of the officer were improper. The allegation of Discourtesy against Sergeant Dave Corlett is **SUSTAINED**. ■

#3

Complaint #	07103
Complainant(s)	James Arnold
Involved Officer(s)	Denise Brown: Excessive Force
CCA Investigator	Dena Brown
Director Recommendation	<i>Denise Brown – Excessive Force: UNFOUNDED</i>
Board Recommendation	Agree, 6-0
City Manager Finding	Agree

Narrative

Mr. James Arnold filed a Citizen Complaint with the Cincinnati Police Department from an incident that occurred on March 31, 2007 at 9:30 pm at 2383 Wheeler St. CCA received the complaint on April 16, 2007.

Mr. Arnold alleged Officer Denise Burns used excessive force while arresting him by striking him in the left side of his torso with a closed fist and kicking him in the left side of his torso while he was handcuffed.

Findings

Excessive Force – Officer Denise Brown

The CCA Investigator has concluded that there are no facts to support that the alleged incident complained of actually occurred. The allegation of Excessive Force against Officer Denise Burns is **UNFOUNDED**. ■

#4

Complaint #	07104
Complainant(s)	Lamorse Jones
Involved Officer(s)	Daniel McShane: Collateral Issue-Improper Procedure (No Contact Card-Passenger)
CCA Investigator	Dena Brown
Director Recommendation	<i>Daniel McShane – Collateral Issue-Improper Procedure (No Contact Card-Passenger): SUSTAINED</i>
Board Recommendation	Agree, 6-0
City Manager Finding	Agree

Narrative

Mr. Lamorse Jones filed a citizen complaint with the Cincinnati Police Department on March 28, 2007, from an incident that occurred at 9:00 p.m. on March 26, 2007, at the intersection of Winneste and Kings Run. This complaint was referred to CCA on April 16, 2007.

Mr. Lamorse Jones alleged Officer Bower approached his vehicle. Officer Bower questioned him about an illegal turn. Mr. Jones stated his vehicle was searched and believes he was racially profiled because of the area in which he lives.

Findings

Collateral Issue-Improper Procedure (No Contact Card-Passenger)

The allegation of Improper Procedure is supported by sufficient evidence to determine that the incident occurred and actions of the officer were improper. The allegation of Improper Procedure against Sergeant Daniel McShane is **SUSTAINED**. ■

#5

Complaint #	07115
Complainant(s)	Bridgett Maue
Involved Officer(s)	Thomas Rackley: Excessive Force
CCA Investigator	Reuben Dunbar
Director Recommendation	<i>Thomas Rackley – Excessive Force: UNFOUNDED</i>
Board Recommendation	Disagree
City Manager Finding	Agree

Narrative

Ms. Bridgett Maue filed a citizen complaint with the CCA office on April 25, 2007, from an incident that occurred on March 4, 2007, at 2:30 am at 6032 Montgomery Ave.

Ms. Maue and Michael Worley were waiting for their food inside of Pleasant Ridge Chili. She complained to Ms. Hankins their order was taking too long. Ms. Hankins threw her plate of food onto the table. Ms. Maue threw the plate back onto the table. Officer Rackley advised her she needed to leave. Officer Rackley arrested and pushed Ms. Maue's face onto the table.

Findings

Excessive Force -Officer Thomas Rackley

There are no facts to support that the incident complained actually occurred, therefore, the allegation of Excessive Force against Officers Thomas Rackley is **UNFOUNDED**. ■

#6

Complaint #	07118
Complainant(s)	Jerry Hicks
Involved Officer(s)	Jason Hodge: Excessive Force
CCA Investigator	Reuben Dunbar
Director Recommendation	<i>Jason Hodge – Excessive Force: UNFOUNDED</i>
Board Recommendation	Agree, 6-0
City Manager Finding	Agree

Narrative

Mr. Hicks filed a citizen complaint with the CCA office on April 27, 2007, from an incident that occurred at 10:00 a.m. on April 24, 2007, at 2861 Harrison Ave.

Mr. Hicks was having his maintenance crew perform repairs at an apartment building he owns at 2861 Harrison. The repair men did not have access to the building. Mr. Hicks went to unlock the main door. An alarm signaled from one of the apartments and Officer Hodge arrived in response. Officer Hodge questioned Mr. Hicks regarding his identity. Officer Hodge became argumentative and grabbed his arm tightly, jerked him down the steps and pushed him into the police vehicle with force.

Findings

Excessive Force-Officer Jason Hodge

There are no facts to support that the incident complained actually occurred, therefore, the allegation of Excessive Force against Officers Jason Hodge is **UNFOUNDED**. ■

#7

Complaint #	07121
Complainant(s)	Shots Fired
Involved Officer(s)	Gary Fangman: Improper Discharge of Firearm
CCA Investigator	Reuben Dunbar
Director Recommendation	<i>Gary Fangman – Improper Discharge of Firearm: SUSTAINED</i>
Board Recommendation	Agree, 6-0
City Manager Finding	Agree

Narrative

Officer Gary Fangman accidentally discharged his weapon once, striking the floor. This incident occurred at the central vice office on May 1, 2007. CCA was notified by communications on the same date of the incident.

Findings

Police Specialist Gary Fangman- Improper Discharge of Firearm

The allegation is supported by sufficient evidence to determine that the incident occurred and actions of the officer were improper. The allegation of Improper Procedure Discharge of a Firearm against Police Specialist Gary Fangman is **SUSTAINED**. ■

#8

Complaint #	07091
Complainant(s)	Leslie Johnson
Involved Officer(s)	Unknown
CCA Investigator	Reuben Dunbar
Director Recommendation	<i>Officer unknown, Unlawful Search – NOT SUSTAINED</i>
Board Recommendation	Agree, 6-0
City Manager Finding	Agree

Narrative

Ms. Leslie Johnson filed a citizen complaint with the CCA office on April 2, 2007, stemming from an incident that occurred on March 20, 2007, at 2:00 am at the 3000 block of Warsaw at Grand Ave.

Mr. Johnson and his sister Chanell Johnson were walking across the street in the crosswalk at the 3000 block of Warsaw at Grand Ave. An unmarked police vehicle sped past them, almost striking his sister. Mr. Johnson made obscene comments toward the vehicle. The vehicle stopped near him and four unknown male officers exited the vehicle, one of which searched Mr. Johnson.

Summary

Mr. Johnson stated he and his younger sister were walking across the street at the 3000 block of Warsaw at Grand in the crosswalk. While crossing the street, a Gold Trailblazer sped by, almost striking his sister. Mr. Johnson blurted out profanity towards the vehicle. The vehicle drove past them again. Mr. Johnson reported the vehicle stopped near him by a curb. He observed 3 masked unknown male officers, along with an unmasked male officer driving the vehicle.

The unmasked officer approached and ordered him to raise his hands. Mr. Johnson related the driver of the vehicle conducted all of the conversation with him and ordered a masked officer to search him. Mr. Johnson stated, "Go ahead and do what you're going to do," to the officers. A masked officer reached into his pockets and retrieved his license. He stated the unmasked officer conducted a name query and returned his license to him before they left.

Several resources were investigated in an attempt to identify who the officers were. This investigator's efforts proved to be futile. This investigator also made an attempt to retrieve a Contact Card, but was unable to do so. In addition, attempts were made to determine if the Vortex unit drove Gold Trailblazers; information provided indicated they did not.

Conclusions

After further investigation, this investigator could not identify any officers involved in this incident, and could not conclude if other contributing factors lead to the Terry Stop.

Findings

There are insufficient facts to decide whether the alleged misconduct occurred, therefore, the allegation of **Unlawful Search** of the **Unknown Officer** is **NOT SUSTAINED**. ■
